

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

LEVI & MARY YVONNE COLLINS

944 Michael Avenue

Lima, Ohio 45804

Plaintiff,

v.

KEYBRIDGE MEDICAL REVENUE

MANAGEMENT

c/o General Audit Corp.

2348 Baton Rouge

Lima, Ohio 45805,

Defendant.

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) Case No: 3:13-cv-2647

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) JURY DEMAND REQUESTED

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) **CIVIL COMPLAINT**

) **(Unlawful Debt Collection Practices)**

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COMPLAINT

PLAINTIFFS, Levi and Mary Yyvonne Collins (Plaintiffs), by their attorneys, KAHN AND ASSOCIATES, L.L.C., allege the following against DEFENDANT, Keybridge Medical Revenue Management (Defendant):

INTRODUCTION

1. Plaintiffs' Complaint is based on the Fair Debt Collection Practices Act, *15 U.S.C. 1692 et seq.* (FDCPA).

JURISDICTION AND VENUE

2. Jurisdiction of this court arises pursuant to *15 U.S.C. 1692k(d)*, which states that such actions may be brought and heard before "any appropriate United States district court without regard to the amount in controversy," and *28 U.S.C. 1367* grants this court supplemental jurisdiction over the state claims contained therein.
3. Because Defendant conducts business in Ohio, personal jurisdiction is established.

4. Venue is proper pursuant to 28 *U.S.C. 1391(b)(2)*.

PARTIES

5. Plaintiffs are married natural persons who reside in the City of Lima, Allen County, Ohio and are allegedly obligated to pay a debt, and Plaintiffs are “consumers” as that term is defined by 15 *U.S.C. 1692a(3)*.
6. Pursuant to the definitions outlined in 15 *U.S.C. 1692a(1-6)*, Defendant is a debt collector and sought to collect a consumer debt from Plaintiffs which was allegedly due and owing from Plaintiffs, and Plaintiffs are consumer debtors.
7. Defendant is an Ohio business entity and debt collector with an office in Lima, Ohio.
8. Defendant uses instrumentalities of interstate commerce or the mails in any business the principal purpose of which is the collection of any debts, or who regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due another and is a "debt collector" as that term is defined by 15 *U.S.C. § 1692a(6)*.
9. Defendant is a collection agency that in the ordinary course of business, regularly, on behalf of itself or others, engages in debt collection.

FACTUAL ALLEGATIONS

10. Plaintiffs are married persons. The Defendant is seeking to collect a consumer debt incurred for personal, family, or household purposes. Upon information and belief, the underlying debt obligation Defendant alleges that Plaintiffs owe is a medical debt that was incurred by Levi Collins.

11. Plaintiff Levi Collins agreed to make payments of \$50.00 per month to Defendant on the alleged debt. However, Defendant has demanded Plaintiffs sign a contract stating they will make payments of \$46.00/month or \$47.00/month.
12. Despite the fact that Plaintiffs have been making regular payments to Defendant, Defendant has been calling Mary Yvonne Collins and Levi Collins through January 2013. Defendant places calls to them for the purposes of harassing them and in attempt to coerce Levi Collins into signing a contract with Defendant and/or making further payments.

COUNT I

DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT

13. Defendant violated the FDCPA based on the following:
 - a. Defendant violated *§1692d* by engaging in conduct the natural consequence of which is to harass, oppress, or abuse any person in connection with the collection of a debt.
 - b. Defendant violated *§1692e(10)* by the use of any false representation or deceptive means to collect or attempt to collect a debt or obtain information concerning a consumer.
 - c. Defendant violated *§1692f* by using any unfair or unconscionable means to collect or attempt to collect a debt.

WHEREFORE, Plaintiffs, Levi and Mary Yvonne Collins, respectfully request judgment be entered against Defendant, for the following:

14. Statutory damages of \$1000.00 pursuant to the Fair Debt Collection Practices Act, *15 U.S.C. 1692k*,

15. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, *15 U.S.C. 1692k*

16. Any other relief that this Honorable Court deems appropriate.

DEMAND FOR JURY TRIAL

Plaintiffs, Levi and Mary Yvonne Collins, request a jury trial in this case.

RESPECTFULLY SUBMITTED,

KAHN & ASSOCIATES, L.L.C.

/s/ J. Daniel Scharville

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